

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAFAEL ARDEN JONES,
Petitioner,
v.
JOSEPH CAPUTO,
Respondent.

No. 2:22-cv-0426-EFB P

ORDER


Petitioner is confined to the Anna M. Kross Center in East Elmhurst, New York. He proceeds pro se and has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, together with a request to proceed in forma pauperis. This court will not rule on petitioner's request to proceed in forma pauperis.

The general rule with regard to habeas applications is that both the United States District Court in the district where petitioner was convicted and the District Court where petitioner is incarcerated have jurisdiction over the claims. *See Braden v. 30th Judicial Circuit Court*, 410 U.S. 484 (1973). However, "[t]he district court for the district wherein such an application is filed in the exercise of its discretion and in furtherance of justice may transfer the application to the other district court for hearing and determination." 28 U.S.C. § 2241(d). Here, petitioner states that he is a federal detainee and that "they" will not produce him in court or answer his motions. ECF No. 1 at 1, 2. Because the petition concerns petitioner's incarceration in New

1 York,¹ this court will, in the furtherance of justice, transfer this action to the district where
2 petitioner is in custody. *See* 28 U.S.C. § 2241(d).

3 Accordingly, it is hereby ordered that this matter is transferred to the United States
4 District Court for the Southern District of New York.

5 Dated: March 11, 2022.

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8 EDMUND F. BRENNAN
9 UNITED STATES MAGISTRATE JUDGE
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¹ The Anna M. Kross Center lies the Southern District of New York. *See* 28 U.S.C. § 112(b).